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EXAMINER	
QUIETT, CARRAMAH J	
ART UNIT	PAPER NUMBER
2622	

MAIL DATE	DELIVERY MODE
10/16/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/772,810	KHAN, RAFAY	
	Examiner	Art Unit	
	Carramah J. Quiett	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13,15-23 and 25-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13,15-23 and 25-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment(s), filed on 06/30/2008, have been entered and made of record. Claims 1-13, 15-23, and 25-30 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-13, 15-23, and 25-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. **Claim 29** is objected to because of the following informalities: Claim 29 recites the limitation, "a server" twice – in the preamble and in the body of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claim 25** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 25 appears to be claiming software for a computer. However, the preamble, as recited in of claim 25, has not been written properly for claiming statutory subject matter. When a claim is directed to a computer program (software), the preamble should be written as (for example), "A computer-readable recording medium encoded with a computer program (software)..."

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. **Claims 21, 23, 25-26, and 28-30** are rejected under 35 U.S.C. 102(e) as being anticipated by Kogan (US 20040021780).

For **claim 21**, Kogan teaches a method for associating meaningful location information with photographs (figs. 2-6; pg. 2, [0018]-[0028]) comprising:

taking a photograph via a camera (fig. 3, ref. 305; pg. 2, [0021]);

acquiring, by the camera, position information when the photograph is taken (fig. 3, ref. 320; pg. 2, [0022]);

associating, at the camera, the position information with a data representation of the photograph (fig. 3; pg. 2, [0020]-[0022]);

sending the position information and the data representation of the photograph to a computing platform separate from the camera (fig. 4; pg. 2, [0023]);

querying, using, via the computing platform, a geographic database (GNIS) to determine a municipality in which the position is located based on the position information, the geographic database remote from the camera and the computing platform (fig. 5; pg. 2, [0023]-[0025]);

receiving, at the computing platform, municipality content as a function of the query (fig. 5; pg. 2, [0023]-[0025]);

associating, the computing platform, text indicating a name of the municipality with the picture and displays the name of the municipality together with the image (figs. 5-6; pg. 2, [0023]-[0028]).

For **claim 23**, Kogan teaches the method of claim 21 wherein the geographic database is located on a remotely located server (pg. 2, [0023]-[0024]).

For **claim 25**, Kogan teaches a software application that runs on a computer platform and that performs a method, the method comprising:

obtaining data from a camera removably connected to the computer platform that indicates geographic coordinates associated with each of a plurality of pictures taken by the camera (pg. 2, [0020]-[0022]);

requesting from a remotely located map service server a municipality name corresponding to the geographic coordinates associated with each of the plurality of pictures (pg. 2, [0023]-[0024]); and

associating each municipality name obtained from the remotely located map service server with the corresponding one of the plurality of pictures associated with the corresponding geographic coordinates (pg. 2, [0023]-[0028]).

For **claim 26**, Kogan teaches the method of Claim 25 wherein the camera is removably connected to the computer platform with a USB cable (pgs. 1-2, [0014], [0023]-[0024]).

For **claim 28**, Kogan discloses a device for associating meaningful location information with photographs (fig. 4) comprising:

a computing platform (400) configured to receive data representing a photograph and position information associated with the data from a camera, the computing platform separate from the camera (pg. 2, [0023]-[0024]),

wherein the computing platform is further configured to query a geographic database (GNIS) to determine a municipality where the photograph was taken based on the position information, the geographic database remote from the computing platform and the camera (pg. 2, [0023]-[0025]),

wherein the computing platform is further configured to receive municipality information as a function of the query (pg. 2, [0023]-[0025]), and

wherein the computing platform is further configured to associate text indicating a name of the municipality with the photograph and to display the text in the photograph (pg. 2, [0023]-[0028]). Also, please see figs. 5 and 6.

For **claim 29**, Kogan discloses a server (fig. 4) for associating meaningful location information with photographs comprising:

a server (405) configured to receive a query to determine a municipality in which a photograph has been taken, the photograph taken via a remote camera (pg. 2, [0023]-[0024]),

wherein the server is further configured to retrieve municipality content from a geographic database (GPS) and send the municipality content to a computing platform (400) based on the query, the computing platform remote from the server and the camera (pg. 2, [0020]-[0025]), and

wherein the municipality content is associated with text indicating a name of the municipality, the text being associated with and displayed in the photograph via the computing platform (pg. 2, [0023]-[0028]). Also, please see figs. 2-3 and 5-6.

For **claim 30**, Kogan teaches a method for associating meaningful location information with photographs comprising:

receiving a query to determine a municipality in which a photograph has been taken, the photograph taken via a remote camera (pg. 2, [0020]-[0024]); and

sending municipality content to a remote computing platform based on the query, the camera separate from the computing platform, wherein the municipality content is associated with text indicating a name of the municipality, the text being associated with and displayed in the photograph via the computing platform (pg. 2, [0023]-[0028]). Also, please see figs. 2-6.

Claim Rejections - 35 USC § 103

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. **Claim 27** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kogan (US 20040021780) in view of Pelletier (US Pat. #6,690,883).

For **claim 27**, Kogan teaches the method of Claim 25 wherein the camera is removably connected to the computer platform (pg. 2, [0023]-[0025]). However, Kogan does note expressly teach the method wherein the camera is connected to the computer platform with a wireless connection with a wireless connection.

In a similar field of endeavor, Pelletier teaches a method wherein the camera is connected to the computer platform with a wireless connection (col. 3, lines 35-48; col. 4, lines 35-56). . In light of the teaching of Pelletier, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Kogan with the wireless connection between the camera and the computer platform as recited in claim 27 in order to provide an improved method for annotating captured images with location information (Pelletier, col. 1, lines 39-63).

10. **Claims 1-7, and 16-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Imagawa et al. (US Pat. #6,657,666) in view of Kogan (US 20040021780).

As for **claim 1**, Imagawa discloses a camera (fig. 1, col. 4, lines 33-48; col. 9, lines 1-6) comprising:

an image acquiring means (ref. 1; col. 4, lines 41-48);

equipment (ref. 2/GPS calculating system not shown in figs.) that determines a physical position (col. 4, lines 49-56);

a database (refs. 5-7) indicating locations of municipalities (col. 5, lines 9-40); and

an application (refs. 6-9) that uses the database, determines in which municipality the physical position is located, associates data indicating a name of the municipality with an image acquired by the image acquiring means and displays the name of the municipality together with the image (col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11). Also see figs. 3-4.

However, Imagawa does not expressly teach wherein text representing the name of the municipality is displayed in the image free of a separate border surrounding the text.

In a similar field of endeavor, Kogan discloses wherein text representing the name of the municipality is displayed in the image free of a separate border surrounding the text (fig. 6, ref. 610; pg. 2, [0026]-[0028]). As illustrated in fig. 6, ref. 610, a separate border the does not surround the annotation, which appears next to the image in the photograph. In light of the teaching of Kogan, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the camera of Imawaga wherein text representing the name of the municipality is displayed in the image free of a separate border surrounding the text in order to provide a mechanism for annotating digital images with the names of physical/cultural features recorded within the camera's field of view (FOV) thereby making it easier to determine what the image contains (Kogan, pg. 1, [0005]).

For **claim 2**, Imagawa, as modified by Kogan, discloses the camera of claim 1 wherein the image acquiring means, the equipment that determines a physical position, the database, and the application are all physically located in a single housing (fig. 1, col. 4, lines 33-56; col. 9, lines 1-6).

For **claim 3**, Imagawa, as modified by Kogan, discloses the camera of claim 1 wherein the equipment that determines a physical position is a GPS unit (col. 4, lines 49-56).

For **claim 4**, Imagawa, as modified by Kogan, discloses the camera of claim 1 wherein the database associates coordinates with municipalities (col. 5, lines 1-43).

For **claim 5**, Imagawa, as modified by Kogan, discloses the camera of claim 1 wherein municipalities includes cities, towns, and villages (col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11). Also see figs. 3-4.

For **claim 6**, Imagawa, as modified by Kogan, discloses the camera of claim 1 wherein the application associates data indicating a state with the image acquired by the image acquiring means (col. 4, lines 49-56; col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11).

For **claim 7**, Imagawa, as modified by Kogan, discloses the camera of claim 1 wherein the database also indicates states (col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11).

As for **claim 16**, Imagawa teaches a method of operation for photography comprising:

using a database located within a camera (image information recording reproducing apparatus), associating data indicating a municipality with an image taken by the camera (col. 4, lines 38-60; col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11); and

displaying the image with text indicating a name of the municipality in the image (col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11).

However, Imagawa does not expressly teach wherein the text indicating the name of the municipality is added to be a part of the image; and storing the image having the text indicating the name of the municipality.

In a similar field of endeavor, Kogan teaches wherein the text indicating the name of the municipality is added to be a part of the image (fig. 6, ref. 610; pg. 2, [0026]-[0028]); and storing

the image having the text indicating the name of the municipality (pg. 2, [0022]-[0024]). In light of the teaching of Kogan, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the camera of Imawaga wherein the text indicating the name of the municipality is added to be a part of the image and storing the image having the text indicating the name of the municipality in order to provide a mechanism for annotating digital images with the names of physical/cultural features recorded within the camera's field of view (FOV) thereby making it easier to determine what the image contains (Kogan, pg. 1, [0005]).

For **claim 17**, Imagawa, as modified by Kogan, teaches the method of claim 16 further comprising:

using a position determining unit associated with the camera to determine a position of the camera when the image is taken (col. 4, line 49 – col. 5, line 6); and

with the database, using the position to determine the municipality (col. 4, line 49 – col. 5, line 40).

For **claim 18**, Imagawa, as modified by Kogan, teaches the method of claim 17 wherein the position determining unit includes a GPS unit (Imagawa, col. 4, lines 49-56; Kogan, pg. 2, [0020]-[0024]).

For **claim 19**, Imagawa, as modified by Kogan, teaches the method of claim 17 wherein the position is expressed as geographic coordinates (Imagawa, col. 4, line 49 – col. 5, line 6; Kogan, pg. 2, [0020]-[0025]).

11. **Claims 8-13 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Imagawa et al. (U.S. Pat. #6,657,666) in view of Pelletier (US Pat. #6,690,883).

As for **claim 8**, Imagawa teaches a method of operation for photography (col. 4, lines 33-48; col. 9, lines 1-6) comprising:

acquiring an image with a camera (col. 4, lines 41-48);

with position determining equipment associated with the camera (col. 4, lines 49-56), acquiring information indicating a position associated with the camera (col. 5, lines 9-40);

determining a municipality in which the position is located (col. 5, lines 1-43; col. 6, lines 11-22);

associating data indicating a name of the municipality with the image (col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11); and

displays the name of the municipality together with the image (col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11).

However, Imagawa does not expressly teach *printing* the image with text indicating the municipality in the image.

In a similar field of endeavor, Pelletier teaches printing the image with text indicating the municipality in the image (col. 2, lines 31-49). In light of the teaching of Pelletier, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Imagawa to print the image with text indicating the municipality in the image in order to provide an improved method for annotating captured images with location information (Pelletier, col. 1, lines 39-63).

For **claim 9**, Imagawa, as modified by Pelletier, teaches the method of claim 8 wherein the position determining equipment comprises a GPS unit (col. 4, lines 49-56).

For **claim 10**, Imagawa, as modified by Pelletier, teaches the method of claim 8 wherein the position determining equipment is installed in the camera (col. 4, lines 49-56).

For **claim 11**, Imagawa, as modified by Pelletier, teaches the method of claim 8 wherein the position is expressed as geographic coordinates (col. 4, line 49 – col. 5, line 40).

For **claim 12**, Imagawa, as modified by Pelletier, teaches the method of claim 8 wherein the municipality is determined using a geographic database installed in the camera (col. 4, line 49 – col. 5, line 40).

For **claim 13**, Imagawa, as modified by Pelletier, teaches the method of claim 8 further comprising: adding text indicating the name of the municipality to the image (col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11).

For **claim 15**, Imagawa, as modified by Pelletier, teaches the method of claim 8 wherein the municipality in which the position is located is determined using a remotely located geographic database (col. 4, lines 49-56).

12. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over claim Imagawa et al. (US Pat. #6,657,666) in view of Kogan (US 20040021780) as applied to claim 16 above, and further in view of Pelletier (US Pat. #6,690,883).

For **claim 20**, Imagawa teaches the method of claim 16 further comprising: the image with text indicating the name of the municipality in the image (col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11). However, Imagawa does not expressly teach *printing* the image with text indicating the municipality in the image.

In a similar field of endeavor, Pelletier teaches printing the image with text indicating the municipality in the image (col. 2, lines 31-49). In light of the teaching of Pelletier, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Imagawa to print the image with text indicating the municipality in the image in order to provide an improved method for annotating captured images with location information (Pelletier, col. 1, lines 39-63).

13. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Imagawa et al. (U.S. Pat. #6,657,666) in view of Pelletier (US Pat. #6,690,883) as applied to claim 8 above, and further in view of Baron (U.S. Pat. #6,459,388).

For **claim 22**, Imagawa teaches the method of claim 8 (col. 5, lines 1-43; col. 6, lines 11-22; col. 7, lines 48-54; col. 8, lines 42-62; col. 9, lines 7-11). However, Imagawa does not expressly teach that the camera comprises a phone equipped with a camera as a feature.

In a similar field of endeavor, Baron teaches take a photograph with a phone equipped with a camera as a feature (col. 5, lines 1-9; col. 8, lines 28-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Imagawa with a phone equipped with a camera as a feature in order to provide a user with information concerning nearby sites (Baron, col. 5, lines 1-9).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571)272-7316. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. J. Q./
Examiner, Art Unit 2622
October 9, 2008

/Ngoc-Yen T. VU/
Supervisory Patent Examiner, Art Unit 2622